

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**FRANK WIATER,**

**Plaintiff,**

**vs.**

**UNITED STATES OF AMERICA,**

**Defendant.**

**CASE NO. 8:11CV290**

**ORDER AND  
FINAL JUDGMENT**

This matter is before the Court on the joint Motion and Stipulation for Dismissal with prejudice (Filing No. 70). The stipulation complies with the requirements of Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. Each party will bear its own costs, complete record waived. Accordingly,

**IT IS ORDERED:**

1. The joint Motion and Stipulation for Dismissal (Filing No. 70) is approved;
2. This case is dismissed with prejudice;
3. All other pending motions are denied as moot; and
4. Each party will bear its own costs, complete record waived.

Dated this 6<sup>th</sup> day of December, 2012.

**BY THE COURT:**

s/Laurie Smith Camp  
Chief United States District Judge